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EXAMINER

BAYARD, DJENANE M

ART UNIT PAPER NUMBER

2141

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,319

Applicant(s)

BANERJEE ET AL.

Examiner

Djenane M. Bayard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 52 and 53 is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to amendment filed on 8/19/05 in which claims 1-53 are pending.

Response to Arguments

2. Double Patenting

- a. Occasionally, the examiner becomes aware of two copending applications filed by the same inventive entity, or by different inventive entities having a common inventor, and/or by a common assignee that would raise an issue of double patenting if one of the applications became a patent. Where this issue can be addressed without violating the confidential status of applications (35 U.S.C. 122), the courts have sanctioned the practice of making applicant aware of the potential double patenting problem if one of the applications became a patent by permitting the examiner to make a “provisional” rejection on the ground of double patenting. In re Mott, 539 F.2d 1291, 190 USPQ 536 (CCPA 1976); In re Wetterau, 356 F.2d 556, 148 USPQ 499 (CCPA 1966). The merits of such a provisional rejection can be addressed by both the applicant and the examiner without waiting for the first patent to issue.

The “provisional” double patenting rejection should continue to be made by the examiner in each application as long as there are conflicting claims in more than one application unless that “provisional” double patenting rejection is the only rejection remaining in one of the applications. If the “provisional” double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the

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“provisional” double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent (See MPEP Chapter 800 - Restriction in Applications Filed Under 35 U.S.C. 111; Double Patenting).

3. 35 U.S.C. 102 Rejection

As per claims 16, 21, 30, 31, 33, 39 and 43, Applicant argues that Bergsten failed to teach a time zone identifier. However, Bergsten teaches that localizing the application to the local instances. Furthermore, Bergsten teaches where you can use the `getDateTimeInstance()` and `getTimeInstance()` methods to produce strings including both the date and time of the time (See section 11.1, 11.1.2).

As per claim 52, Applicant argue that Bergsten fails to teach propagating from a first server to a second server to process the client request. It is well known in the art that request can be propagated to a second server, if the first server can not satisfied the request.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1, 10, 21 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant

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art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation “ a resource manager configured to receive the internationalization context extracted by the server and process a request to invoke a remote procedure call received from the client device using the geographically specific parameters internationalization context” failed to be described in the specification.

Specification

6. As per claim 1, The amendment is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: “ a resource manager configured to receive the internationalization context extracted by the server and process a request to invoke a remote procedure call received from the client device using the geographically specific parameters internationalization context” Applicant is required to cancel the new matter in the reply to this Office Action.

7. As per claim 10, the amendment is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: “ receiving at a server, a first request from a client, wherein the first request is a request to invoke a remote procedure call at the server”;

Double Patenting

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8. Claims 1-2, 4-11-19, 21-26-32 this application conflict with claims 1, 4-8, 13-20, 24-27 and 31-33 of Application No 10/000686. 37 CFR 1.78(b) provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application. Applicant is required to either cancel the conflicting claims from all but one application or maintain a clear line of demarcation between the applications. See MPEP § 822.

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

9. Claims 1-2, 4-11-19, 21-26-32 provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4-8, 13-20, 24-27 and 31-33 of copending Application No. 10/000686. Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to one with ordinary skill in the art to incorporate "an internationalization context ,management policy" into the claimed invention of Application No. 09/870319. Furthermore, It would have been obvious to one with ordinary skill in the art at the to implement wherein the

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“internationalization context specifies geographically specific parameters for the client device”

into the claimed invention of application No. 10/000686.

Application No. 09/870319	Application No. 10/000686
<p>1. A system in a distributed computing environment having a plurality of nodes located across geographically dispersed boundaries, comprising: a server configured with an internationalization application programming interface configured to extract an internationalization context provided by a client device <u>wherein the internationalization context specifies geographically specific parameters for the client device</u>; and a resource manager configured to receive the internationalization context extracted by the server and process a request <u>to invoke a remote procedure call</u> received from the client device using the <u>geographically specific parameters</u> internationalization context.</p>	<p>1. A system in a distributed computing environment having a plurality of nodes located across geographically dispersed boundaries, comprising: a server configured with an internationalization application programming interface configured to extract an internationalization context provided by a client device and <i>retrieve an internationalization context management policy</i>; and a resource manager configured to receive the internationalization context <i>and internationalization context management policy extracted by the server</i> and process a request received from the client device using the internationalization context <i>that is configured by the internationalization context management policy</i>.</p>
<p>10. A method operative in a distributed computing environment having clients and a plurality of servers located across geographically dispersed boundaries, comprising: receiving, at a server a first request from a client, <u>wherein the first request is a request to invoke a remote procedure call at the server</u>; receiving a second request from the client at the server, wherein the second request comprises an internationalization context for processing the</p>	<p>8. A method of processing requests in a distributed computing environment having clients and a plurality of servers located across geographically dispersed boundaries, comprising: receiving a first request from a client at a server; receiving a second request from the client at the server, wherein the second request comprises an internationalization context for processing the first request; extracting the internationalization context from the second</p>

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<p>first request <u>wherein the internationalization context specifies geographically specific parameters set for the client</u>; extracting the internationalization context from the second request; and processing the first request at the server using the internationalization context.</p>	<p>request; <i>retrieving an internationalization context management policy</i>; and processing the first request at the server using the internationalization context <i>that is configured by the internationalization context management policy</i>.</p>
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This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1, 3-4, 7-23, 26-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over JavaServer Pages by Hans Bergsten in view of U.S. Patent Application No. 2002/0184610 Chong et al.

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a. As per claims 1 and 21, Bergsten teaches a system in a distributed computing environment having a plurality of nodes located across geographically dispersed boundaries, comprising: a server configured with an internationalization application programming interface configured to extract an internationalization context provided by a client device (See Section 11.1 and 11.2, API consists of a number of classes and interfaces that define the methods that make it possible to process HTTP requests in a web server-independent manner. The Accept-language header value in the request from the client is extracted by the webserver). Furthermore, Bergsten teaches a resource manager configured to receive the internationalization context extracted by the server and process a request received from the client device using the geographically specific parameters internationalization context (See Section 11.1, All Java classes that provide localization support use a class named java.util.locale. An instance of this class represents a particular geographical as specified by a combination of a language code and country code. The getlocale () method returns the Locale with the highest preference ranking, and the getlocale () method returns an enumeration of all locales in order of preferences... match the preferred locales to the ones that your web application supports). However, Bergsten fails to teach a request to invoke a Remote procedure call.

Chong et al teaches a request to invoke a Remote procedure call (See page 28, lines [0416]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a request to invoke a Remote procedure call as taught by Chong et al in the claimed invention of Bergsten in order to obtain web service (See page 28, lines 0416]).

b. As per claim 10 and 45, Bergsten teaches a method operative in a distributed computing environment having clients and a plurality of servers located across geographically dispersed boundaries, comprising: receiving a first request from a client at a server (See Section 11.1.1, A browser can send a request for a web resource); receiving a second request from the client at the server, wherein the second request comprises an internationalization context for processing the first request (See Section 11.1.1 A browser can send an Accept –Language header with a request for a web resource) extracting the internationalization context from the second request; and processing the first request at the server using the internationalization context (See Section 11.1.1, The getLocale () method returns the locale with the highest preference ranking and the get locales() method returns an enumeration of all locales in order in preference). However, Bergsten fails to teach a request to invoke a Remote procedure call.

Chong et al teaches a request to invoke a Remote procedure call (See page 28, lines [0416]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a request to invoke a Remote procedure call as taught by Chong et al in the claimed invention of Bergsten in order to obtain web service (See page 28, lines 0416]).

c. As per claim 33, Bergsten teaches a method operative in a distributed computing environment having clients and a plurality of servers located across geographically dispersed boundaries, comprising: receiving a first request from a client at a server (See Section 11.1.1, A browser can send a request for a web resource); receiving a second request from the client at the server, wherein the second request comprises an internationalization context for processing the

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first request (See Section 11.1.1 A browser can send an Accept –Language header with a request for a web resource) extracting the internationalization context from the second request; and processing the first request at the server using the internationalization context (See Section 11.1.1, The getLocale () method returns the locale with the highest preference ranking and the get locales() method returns an enumeration of all locales in order in preference). However, Bergsten fails to teach a request to invoke a Remote procedure call.

Chong et al teaches a request to invoke a Remote procedure call (See page 28, lines [0416]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a request to invoke a Remote procedure call as taught by Chong et al in the claimed invention of Bergsten in order to obtain web service (See page 28, lines 0416]).

d. As per claim 27, Bergsten et al teaches parsing a message from a client computer, wherein the message contains internationalization context , wherein the internationalization context specifies geographically specific parameters set for the client computer whereby a computing environment of the client computer reflects the internationalization context to a user of the client computer(See Section 11.1.1 A browser can send an Accept –Language header with a request for a web resource; extracting the internationalization context from the request ; and providing the internationalization context to an application in order to configure the application to processes a request from the client computer according to the internationalization context provided by the client computer(See Section 11.1.1, The getLocale () method returns the locale with the highest preference ranking and the getlocales() method returns an enumeration of all

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locales in order in preference). However, Bergsten fails to teach a request to invoke a Remote procedure call.

Chong et al teaches a request to invoke a Remote procedure call (See page 28, lines [0416]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a request to invoke a Remote procedure call as taught by Chong et al in the claimed invention of Bergsten in order to obtain web service (See page 28, lines 0416)).

e. As per claims 16, 31, 39 and 46, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the internationalization context contains at least a locale specification and a time zone identifier (See Section 11.1)

f. As per claims 17, 32 and 40, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the locale specification comprises at least one of a country identifier, a language identifier and a currency identifier (See Section 11.).

g. As per claim 18 and 41, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches processing the first request according to a country identifier of the server if the internationalization context does not contain a country identifier (See Section 11.1)

- h. As per claim 19, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches processing the first request according to a universal time zone identifier if the internationalization context does not contain a time zone identifier of the client (See Section 11.1).
- i. As per claims 20 and 42, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches processing the first request according to a time zone identifier of the server if the internationalization context does not contain a time zone identifier (See Section 11.1).
- j. As per claim 3, 11 and 34, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the resource manager comprises an application which is configured to use the internationalization context to perform calculations and return a result formatted according to a specification of the internationalization context (See Section 11.1).
- k. As per claims 4, 13, 22, 26 and 38, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the internationalization context contains a country identification (See Section 11.1).

l. As per claims 7, 12 and 35, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the internationalization context is transmitted by the server to at least one of the plurality of nodes in the distributed computer environment (See Section 11.1)

m. As per claims 8, 14, 29 and 37, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the internationalization context comprises locale information and a time zone identifier (See Section 11.1).

n. As per claims 9, 26 and 44, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the locale information comprises at least one of a country identifier, a language identifier and a currency identifier (See Section 11.2).

o. As per claim 23, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the client and the plurality of servers are located across geographically dispersed boundaries (See Section 11.1, It is well known in the art that client and servers can be located across geographically dispersed boundaries).

p. As per claim 43, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches a computer data signal embodied in a transmission medium, comprising an internationalization context containing at least a locale

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specification and a time zone identifier, wherein the internationalization context configures a processor of a computer to process requests according to the internationalization context (See Section 11.2)

q. As per claim 47, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches sending a first main body of the first request to the thread (See Section 11.2)

r. As per claim 48, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches attaching the internationalization context to a second main body to form a second request; and transmitting the second request to a third computer (See Section 11.2).

s. As per claim 49, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the second main body is associated with an interface, and wherein the internationalization component is not added to the interface (See Section 11.1).

t. As per claim 50, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the thread comprises a legacy application thread (See Section 11.2).

v. As per claim 51, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the internationalization component comprises culture sensitive information (See Section 11.1).

w. As per claim 53, Bergsten in view of Chong et al teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the internationalization context contains at least a locale specification and a time zone identifier (See Section 11.1).

12. Claims 2, 5-6 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over JavaServer Pages by Hans Bergsten in view of U.S. Patent Application No. 2002/0184610 to Chong et al as applied to claim 1 and 10 above and further in view of U.S. Patent Application No. 2002/0184308 to Levy et al.

a. As per claim 2, Bergsten teaches the claimed invention as described above. However, Bergsten fails to teach wherein the resource manager is a database management system.

Levy et al teaches a globalization and normalization features for processing business objects. Furthermore, Levy et al teaches wherein the resource manager is a database management system (See page 3, paragraph [0017]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the resource manager is a database management system as

taught by Levy et al in order to provide a multi locale processing configuration for uniformly processing multi locale information being sent to and received from a variety of subsystem (See page 3, paragraph 0017)).

b. As per claims 5 and 24, Bergsten teaches the claimed invention as described above. However, Bergsten fails to teach wherein the internationalization context contains language identification.

Levy et al teaches a globalization and normalization features for processing business objects. Furthermore, Levy et al teaches wherein the internationalization context contains a language identification (See page 4, paragraph [0041]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the internationalization context contains a language identification as taught by Levy et al in order to provide a multi locale processing configuration for uniformly processing multi locale information being sent to and received from a variety of subsystem (See page 3, paragraph 0017)).

c. As per claims 6 and 25, Bergsten teaches the claimed invention as described above. However, Chiles et al fails to teach wherein the internationalization context contains a time zone identifier.

Levy et al teaches a globalization and normalization features for processing business objects. Furthermore, Levy et al teaches wherein the internationalization context contains a time zone identifier (See page 4, paragraph [0042]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the internationalization context contains a time zone identifier as taught by Levy et al in order to provide a multi locale processing configuration for uniformly processing multi locale information being sent to and received from a variety of subsystem (See page 3, paragraph 0017)).

Allowable Subject Matter

13. Claims 52-53 are allowed.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard
Patent Examiner


RUPAL DHARIA
VICTORY PATENT EXAMINER